

PROB 12B
(7/93)FILED
Clerk
District Court

DEC - 3 2007

United States District Court

for

For The Northern Mariana Islands
By _____
(Deputy Clerk)*District of the Northern Mariana Islands***Report for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearings is Attached)Name of Offender: **Monessa P. Nauta**Case Number: **CR 05-00013-001**Name of Sentencing Judicial Officer: **Honorable Alex R. Munson**Date of Original Sentence: **June 21, 2005**Original Offense: **Count 1 - Conspiracy to Commit Bank Fraud, 18 U.S.C. §§ 371 and 1344(1)**

Original Sentence: Four years probation with the following conditions: That she not commit another federal, state, or local crime; That she not unlawfully possess a controlled substance and refrain from any unlawful use of a controlled substance. She shall submit to one drug test within 15 days after sentencing and at least two periodic tests thereafter; That she submit to the collection of a DNA sample at the direction of the U.S. Probation Office and codified under 18 U.S.C. § 3563; That she be prohibited from possessing a firearm or other dangerous weapon and shall not have such weapon at her residence; That she notify the court of any material change in her economic circumstances that might affect her ability to pay restitution; That she be prohibited from incurring new credit charges or opening additional lines of credit without prior approval of the probation officer; That she provide the probation officer access to any requested financial information; That she participate in a program approved by the U.S. Probation Office for substance abuse, which program may include testing to determine whether she has reverted to the use of drugs or alcohol. She shall also make co-payment for the program at a rate to be determined by the U.S. Probation Office; That she refrain from the use of all alcoholic beverages; That she obtain and maintain gainful employment; That she perform 200 hours of community service under the direction of the U.S. Probation Office; Additionally, she was ordered to pay a \$100 special assessment fee and \$32,454.78 in restitution to Bank Pacific. **Modified on February 9, 2006** to include that she submit to a maximum of eight drug tests per month at the direction of the U.S. Probation Office.

Type of Supervision: Probation Date Probation Commenced: June 21, 2005**PETITIONING THE COURT**☐

To extend the term of supervision for _____ years, for a total term of _____ years.

☒

To modify the conditions of supervision as follows:

The defendant shall prepare a six-page paper on the dangers of methamphetamine, which shall be due to the probation officer on December 17, 2007. The defendant shall then present her paper to the probation officer.

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CAUSE

On March 28, 2007, Ms. Nauta reported to the U.S. Probation Office for quarterly drug testing and submitted to a urinalysis which was presumptive positive for methamphetamine. On April 27, 2007, Ms. Nauta reported for a compliance meeting and admitted to U.S. Probation Officer Margarita Wonenberg that she smoked methamphetamine on March 25, 2007 and consumed two cans of alcohol on April 15, 2007. At that time, Ms. Nauta was counseled by the officer regarding her violations.

On October 23, 2007, Ms. Nauta reported to the U.S. Probation Office for another quarterly drug test and submitted to a urinalysis. She tested presumptive positive for methamphetamine and amphetamines. When queried by this officer, she admitted to smoking "ice" on October 19, 2007. She signed an Admission of Drug Use form. Ms. Nauta stated that she was feeling depressed by her lack of employment and the on-going health problems of her significant other. She admitted that she did not think about the consequences of her actions and apologized. She agreed to modifications of her probation as recommended by this officer, to include her re-entry into the U.S. Probation Substance Abuse and Counseling Program.

Ms. Nauta has been moderately compliant to her conditions of probation. On June 21, 2005, she paid her special assessment fee. On August 11, 2005, she submitted to the collection of a DNA sample. On August 21, 2005, she completed her three mandatory drug tests. On September 2, 2005, she completed her 200 hours of community service. On July 8, 2006, she completed the year-long U.S. Probation Substance Abuse Testing and Counseling Program. She reports monthly as required. Ms. Nauta continues to struggle in her search for employment and has only made \$90 in restitution payments.

Ms. Nauta has been counseled regarding her drug relapse. She is willing to work with her officer to get back on track with her probation conditions and avoid future incidents. Specifically, she agreed to this officer's recommendation that she prepare a six-page paper on the dangers of methamphetamine and to present her paper to this officer on December 17, 2007. She signed a Waiver of Hearing to Modify Conditions of Probation (Prob 49), which is attached to this document, agreeing to the modification.

Reviewed by:

CARMEN D. O'MALLAN

U.S. Probation Officer Specialist
Supervision Unit Leader

Date:

Respectfully submitted,

by: MELINDA N. BRUNSON

U.S. Probation Officer

Date: 11/30/07

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above.
- ☒ The Modification of Conditions as Noted Above.

☐ Other Issuance of a: ☐ Summons ☐ Warrant



Alex R. Munson
Chief Judge
District Court of the Northern Mariana Islands

12-3-07

Date

United States District CourtU.S. District Court **District** Northern Marianas Islands**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

- The defendant shall prepare a six-page paper on the dangers of methamphetamine, which shall be due to the probation officer on December 17, 2007. The defendant shall then present her paper to the probation officer.

Witness:


Melinda N. Brunson
 U.S. Probation Officer

Signed:

 11.16.07
Monessa Nauta
 Probationer or Supervised Releasee

 11/16/07

 Date